

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Shoreline Capital Management, LTD.,

NO. C 08-00121 JW

Plaintiff,

**ORDER SETTING HEARING RE:
SUBJECT MATTER JURISDICTION**

v.

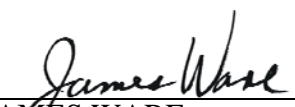
Xiaobing Sun,

Defendant.

Shoreline Capital Management, LTD (“Plaintiff”) brings this diversity action against Xiaobing Sun (“Defendant”) for various claims arising under state law. On January 25, 2008, the Court conducted a hearing on Plaintiff’s motion for a preliminary injunction. At the hearing and in his motion papers, Defendant objected to the Court’s subject matter jurisdiction, contending that the parties lacked diversity of citizenship as required under 28 U.S.C. § 1331(a). The parties then submitted supplemental briefing regarding this issue. (See Docket Item Nos. 33-40.)

To provide the parties an opportunity to fully address this matter, the Court sets **Tuesday, February 26, 2008, at 9:00 A.M.** as a hearing date for Defendant’s objection to the Court’s subject matter jurisdiction.

Dated: February 20, 2008



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Charles Hyunchul Jung cjung@nassiri-jung.com
3 David H.S. Commins david@commins.com
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5 **Dated: February 20, 2008**

Richard W. Wieking, Clerk

7 **By: /s/ JW Chambers**
8 **Elizabeth Garcia**
9 **Courtroom Deputy**
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